IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 3549 of 2004

SOHAN LAL
V/S
STATE & ORS.

Mr. RANJEET JOSHI, for the appellant / petitioner

Date of Order : 24.8.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The findings recorded by the learned Lower Appellate Court are pure finding of fact and are not required to be interfered in writ, more particularly when, by the impugned order, determination has been made only u/S. 13(3). The writ petition is accordingly dismissed summarily. It is, however, made clear that whatever findings have been recorded by the learned Courts below on the question of agreed monthly rent, shall not be taken into account for the purpose of final decision of the suit and the suit will be decided on the basis of material that may be placed on record by the parties during the trial.

(N P GUPTA),J.

/tarun/